



IPW

UNITED STATES PATENT AND TRADEMARK
OFFICE

Examiner: B. William Baumeister
Group Art Unit: 2815

In re PATENT APPLICATION of

Applicant : Shi-Ming Chen)
Appl. No. : 10/698,401)
Filed : November 3, 2003)
For : LIGHT EMITTING DIODE AND)
METHOD FOR)
MANUFACTURING THE SAME)

RESPONSE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

By Official Action dated April 19, 2004, restriction to one of the following inventions is required under 35 U.S.C. § 121:

I . Claims 1-6 and 11, drawn to an LED having a solder layer, classified in class 257, subclass 98.

Species I A: Claim 6, drawn to the species of invention I wherein the solder is composed of metal.

Species I B: Claim 5, drawn to the species of invention I
wherein the solder is composed of an organic
material.

II . Claims 7-10, drawn to an LED of invention I wherein the semiconductor epitaxial structure further comprises an n-contact layer, classified in class 257, subclass 99.

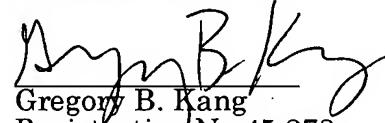
Species II A: Claim 9, drawn to the species of invention II
wherein the n-contact layer is a continuous surface
structure.

Species II B: Claim 10, drawn to the species of invention II
wherein the n-contact layer is a discontinuous
surface structure.

In response, Applicant hereby elects Claims 1-6 and 11 for examination in this case, without traverse.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 referencing attorney docket number 87391.0300.

Respectfully submitted,



Gregory B. Kang
Registration No.45,273

Date: July 12, 2004
BAKER & HOSTETLER LLP
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1500
Facsimile: 202-861-1783